

JS-6

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

HERIBERTO ARREOLA, an
individual, on behalf of himself, all
others similarly situated,

Plaintiffs,

v.

THE FINISH LINE, INC., and DOES
1 through 50, inclusive,

Defendants.

CASE NO. 2:15-cv-00171-SJO-PJW

ORDER AND JUDGMENT

**(1) CONFIRMING CERTIFICATION
OF SETTLEMENT CLASSES;**

**(2) GRANTING FINAL APPROVAL
OF CLASS ACTION SETTLEMENT**

**(3) APPROVING CLASS
REPRESENTATIVE SERVICE
PAYMENT**

**(4) AWARDING CLASS COUNSEL
FEES AND COSTS**

**(5) APPROVING SETTLEMENT
ADMINISTRATOR FEES**

**(6) APPROVING PAYMENT OF
PAGA PENALTIES**

(7) ENTERING FINAL JUDGMENT

Date: December 7, 2015
Time: 10:00 a.m.
Hon.: S. James Otero
Dept.: Ctrm 1, Second Floor
312 N. Spring Street, Los Angeles, CA

1 As submitted on the record and after due notice, this Court has considered the
2 Motions of Plaintiff Heriberto Arreola for Final Approval of Class Settlement and
3 his Motion for Attorneys' Fees, Costs, and Class Representative Service Payments.

4 The Court having read and considered the papers on the Motion, the
5 arguments of Counsel, and the law, and good cause appearing therefore,

6 IT IS ORDERED:

7 1. The Court has jurisdiction over this action and the Parties' Proposed
8 Settlement under 28. U.S.C. §§ 1332(d) and 1453 pursuant to the Class Action
9 Fairness Act since the amount in controversy exceeds \$5,000,000 and because of
10 the complete diversity between Plaintiff and Defendant.

11 2. For the reasons stated in the Order Granting Preliminary Approval, the
12 Court finds that the action meets all the requirements for class certification, and it is
13 hereby ordered that the Settlement Class is finally approved and certified as a class
14 for purposes of settlement of this action.

15 3. The Parties' Settlement Agreement (the "Settlement")(attached as
16 Exhibit A to the Motion for Final Approval) is granted final approval as it meets the
17 criteria for final settlement approval. The Settlement falls within the range of
18 possible approval as fair, adequate, and reasonable, and appears to be the product of
19 arm's-length and informed negotiation and to treat all Class Member fairly.

20 4. The Parties' Notice of Proposed Settlement of Class Action,
21 Conditional Certification of Settlement Classes, Preliminary Approval of
22 Settlement, and Hearing Date for Final Court Approval ("Class Notice) was
23 sufficient to inform Class Members of the terms of the Settlement; their rights
24 under the Settlement; their rights to object to the Settlement; their right to receive a
25 Settlement Share or elect not to participate in the Settlement; the processes for
26 receiving a Settlement Share, electing not to participate in the Settlement or
27 Objection to the Settlement; and the date and location of the final approval hearing.
28 Therefore, the Court finds and determines that the Class Notice was complete and
constitutionally sound, because individual notices were mailed to all Class

1 Members whose identities and addresses are reasonably known to the Parties, and
2 such notice was the best notice practicable.

3 5. Class Members were provided with the opportunity to comment on, or
4 object to the Settlement, as well as to elect not to participate in the Settlement. No
5 Class Members objected to the Settlement.

6 6. Rust Consulting is awarded up to \$33,000 for their services as
7 Settlement Administrator, pursuant to the terms set forth in the Settlement.

8 7. Class Representative Heriberto Arreola is awarded \$5,000 as a Class
9 Representative service payment pursuant to the terms set forth in the Settlement.

10 8. Class Counsel is awarded \$187,500 or 25% of the gross settlement sum, as
11 attorneys' fees.

12 9. Class Counsel is awarded \$10,662.85 in litigation costs incurred in
13 prosecuting this case.

14 10. The proposed PAGA penalties of \$5,000 (\$3,750.00 to the LWDA and
15 \$1,250.00 to the Class) are approved.

16 11. By means of this Final Approval Order, this Court hereby enters final
17 judgment in this action, as defined in Rule 58(a)(1), Federal Rules of Civil
18 Procedure.

19 12. This action is dismissed with prejudice, each side to bear its own costs
20 and attorneys' fees except as provided by the Settlement and this Order.

21 13. The Court retains jurisdiction to consider all further applications
22 arising out of or in connection with the Settlement.

23 **DATED: May 23, 2016**_____



Hon. S. James Otero